

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

<b>STATE OF DELAWARE</b>	)	ID. No. 1508017483
	)	In and for Kent County
v.	)	
	)	RK15-09-0051-01
<b>ADARYLLE L. LANGSTON,</b>	)	Sex Child Abuse (F)
	)	
Defendant.	)	

**ORDER**

Submitted: January 2, 2018  
Decided: January 26, 2018

On this 26th day of January, 2018 upon consideration of the Defendant's Motion for Postconviction Relief, the Commissioner's Report and Recommendation, and the record in this case, it appears that:

1. The defendant, Adarylle L. Langston ("Langston"), pled guilty at his Final Case Review on December 2, 2015 to one count of Sexual Abuse of a Child by a Person in a Position of Trust, Authority, or Supervision in the First Degree, 11 *Del. C.* § 778. He was also facing one count of Endangering the Welfare of a Child, and one count of Rape in the Fourth Degree. In exchange for the plea, *nolle prosequis* were entered by the State on the two additional charges. The parties, as a part of the Plea Agreement, recommended a sentence of twenty-five years of incarceration suspended after five years, two of which were minimum mandatory, for probation. The Court agreed with the recommendation and sentenced Langston accordingly.

2. Langston did not appeal his conviction or sentence to the Delaware Supreme Court. Instead he filed the pending motion for postconviction relief pursuant to Superior Court Criminal Rule 61 on November 14, 2016.

3. The matter was referred to the Court Commissioner for findings of fact and recommendation pursuant to 10 *Del. C.* § 512(b) and Superior Court Criminal Rule 62. The Commissioner has filed a Report and Recommendation recommending that the Court deny the Defendant's Motion for Postconviction Relief.

4. After the issuance of the Commissioner's Report, neither party filed an appeal.

**NOW, THEREFORE**, after a *de novo* review of the record in this action, and for the reasons stated in the Commissioner's Report and Recommendation dated October 25, 2017,

**IT IS HEREBY ORDERED** that the Commissioner's Report and Recommendation is adopted by the Court in its entirety. Accordingly, Movant's Motion for Postconviction Relief pursuant to Superior Court Criminal Rule 61 is hereby **DENIED**.

/s/ Noel Eason Primos

Judge

NEP/wjs

oc: Prothonotary

cc: The Honorable Andrea M. Freud  
Denise L. Weeks-Tappan, Esquire  
Kathleen K. Amalfitano, Esquire  
Adarylle L. Langston, JTVCC